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H – 819

International Court of Justice

H0819-0002

SA Vol. I English Gyllenson

Notice.

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Ne pas publier avant présentation devant le tribunal en audience publique et seulement la partie réellement versée au dossier.

Nicht zu veroeffentlichen vor Darlegung vor dem Gericht (Tribunal) in oeffentlicher Sitzung und dann nur jenen Teil, welcher tatsaechlich zur Beweisfuehrung uebermittelt wurde.

Не публиковать до того, как представлено на публичном заседании Трибунала и только ту часть, которая представлена в качестве доказательства.

I certify that none of the documents included herein have been denied by the Tribunal and that this document book has been examined with the prosecution in accordance with the ruling of the Tribunal dated 4 April 1940.

H0819 - 0003

Je certife qu'aucun des documents ci-inclus n'a été contesté par le Tribunal, et que ce livre de documents a été examiné par le Ministére Public suivant les règles du Tribunal, en date du 4 Avril 1940.

Ich bestaetige, dass keine der hierin enthaltenen Dokumente vom Gerichtshof abgelehnt wurden und dass dieses Dokumentenbuch gemeinsam mit der Anklagevertretung durchgesehen wurde, in Uebereinstimmung mit der Entscheidung des Gerichtshofes vom 4. April 1940.

Signature of Counsel

Signature de l'Avocat

Unterschrift des Verteidigers.

[signature]

Vert. d. Org. S.A.

H0819 - 0004

Document Book

Volume II

H0819-0005

From "The SA-Leader"

Publication of the SA-Leaders of the NSDAP, Publisher: The Supreme SA-Command, . . Educational Department, Issue No. 8, Munich, Capital of the Movement, October 1936.

Page 9:

. . . . . What do we National-Socialists understand under the notion of military fitness? Are we satisfied with a healthy body or do we ask for more? Just as we are uncompromising and totalitarian in everything, we also ask here for the whole. In our opinion physically fit is only the man who is ready to defend with his blood the honor and liberty of his country and who makes and keeps himself physically fit by means of appropriate training in all ways of life but especially in physical and military respect. The military fitness, the mastering of the weapons of war and their utilization in com' are taught to the German man by the Wehrmacht during the perio of enlistment and the drill. The Wehrmacht, as bearer of the nation's arms, is the only competent instructor of military service and cannot be replaced by anything else. But the Wehrmacht will succeed all the more in this big task, and will be permanently successful only if those subject to military service enter the school of arms with the best ideological and physical preparation and if the man trained in the military service keeps himself ideologically and physically fi after his period of enlistment by appropriate training.

No 2
SA – 225

H0819 – 0006

From:

"The SA-Leader"

Publication of the SA-Leaders of the NSDAP

Publisher: Supreme SA-Command

Issue No. 11, Munich, Capital of the Movement, November 1938.

Page 14:

Besides, one recognizes the clear demarcation which has always existed and will always remain between the tasks of the SA and those of the Wehrmacht: Following after the Hitler Youth, the SA provides the spiritual, intellectual and physical prerequisites with which the Wehrmacht can complete within only two years the training in the military profession which, for a modern soldier, is so complex and much more difficult in comparison with former times. And the SA takes over again as "custodian" those who have been trained in the military profession, not in order to continue this kind of training, but in order to preserve and to develop their dash and their readiness for action, their sharp-wittedness and mental alertness, their physical suppleness and efficency. . . . . .

H0819-0007

No 3

SA - 226

From "The SA-Leader

Publication of the SA-Leaders of the NSDAP. Published by the Supreme SA-Command. Issue No. 1, Munich, Capital of the Movement, January 1937.

Page 29:

From this fact followed and follows its character and its development. Although the form is based upon the soldierly virtues: i.e., the unconditional subordination of the individual, the obedience, the courage and the devotion as well as the comradeship, the training has to be carried out not according to military considerations but on the basis of suitability from the party standpoint exclusively. The SA is "an instrument of the Party for the purpose of representing and strengthening the ideological struggle."

No 4
SA - 228

H0819 - 0008

Excerpt

"The Archives", January 1936 Edition, Page 1342

Swearing in of the SA Constabulary Corps.

The Prime Minister of Prussia, General of the Air Force Goering swore in on the Reich Foundation Day, at the Berlin "Lustgarten", the SA Constabulary Corps incorporated in the regular police. On this occasion he declared among other things:

The core of the constabulary corps was originally formed by him because h realized the necessity of having the SA share the responsibility for the direct protection of nation and state. This was necessary in the old, agitated days, when one had t easure temporarily with measures differen from those of normal, quiet times.Although conditions are again improving everywhere today, there are still big and difficult tasks to be mastered and hard times to be endured. We want to make the nation and the Reich free and with the present incorporation into the regular police the Constabulary Corps enters an organization which, in the spirit of comradeship, serves only this goal.

H0819 – 0009

No 5
SA 229

From: Documents pertaining to the Occupation of the Rhineland
Edited by the Reich Ministry for the Occupied Territories.

ISSUE No. 1

THE POLITICAL ORDERS
OF THE ALLIED RHINELAND COMMISSION
AND OF THE ALLIED HIGH COMMANDS
1920 – 1924

A Collection of Documents.
Compiled by the Reich Ministry
for the Occupied Territories.

Berlin 1935
Carl Heymanns Publishing House

Page 32:

Note: On 21 March 1925, the Rhineland Commission lifted the ban on the "German Freedom Party" (Deutsche Freiheitspartei) and on the National-Socialist Party.

23 May 1946
I hereby certify that the above is a literal citation of the original.
Signed: A.E. Schrader Jr.
A. E. Schrader, Jr.
Lt. Comdr. USNR

Certified:
Signed: Georg Boehm
Defense Counsel for the SA

H0819-0010

From the Special Issue of the "Voelkischer Beobachter", Munich edition of Sunday, 1 July 1934

Order of the Supreme SA Leader Adolf Hitler.

Adolf Hitler has given the following order to the Chief of Staff, Lutze:

In Appointing you today as Chief of Staff of the SA, I expect you to interest yourself in a number of tasks, which I will give you herewith:

1. I expect from the SA leader as well as from the SA man b l i n d obedience and unconditional discipline.

2. I demand that every SA leader as well as every political leader realizes, that his action and his behavior has to be exemplary for his organization, yes, even for our total following.

3. I demand that SA leaders - as well as political leaders - who are guilty of incorrect behavior in public, be removed unrelentingly from the party and the SA.

4. I demand especially from the SA leader that he be a model of simplicity and not a spendthrift. I do not want an SA leader to give expensive dinners or to participate in such. One did not invite us formerly, and we have no business there now. Millions of our fellow citizens have not even today the barest necessities of life; they are not envious of those who are more fortunate, but it is unworthy of a national socialist to increase the distance between distress and fortune, which already is very great. I especially forbid that funds of the party, the SA or of the public in general be used for festivities and similar activities. It would be irresponsible to use this money, part of which comes from the pennies of our poorest citizens, for carouses. The luxurious Staff Headquarters in Berlin, where as we have now found out, there had been expenditures up to 30,000 Marks monthly for banquets etc, is to be dissolved immidiately. I therefore forbid all party offices the arrangement of socalled banquets and dinners paid for by any public funds. I forbid all Party and SA leaders to participate in banquets of that sort. The only exceptions are those instances where participation is an obligation to the state, for which in first line the Reich President is responsible, and also the Foreign Minister. I forbid all SA leaders and all Party leaders in general to give socalled diplomatic dinners. The SA leader is not to carry out any representation, but to do his duty.

5. I do not want SA leaders to go on duty trips in expensive limousines or convertibles, nor have them use official funds to buy these. The same ruling applies to leaders of the political organizations.

6. SA leaders or political leaders, who become intoxicated in public, are unworthy to be leaders of their people.

H0819-0011

Prohibition of nagging criticism requires an e x e m p l a r y p e r s o n. conduct. Errors can always be excused, but not a bad conduct. SA leaders, therefore, whose action in the eyes of the public is unworthy, men who are conspicu or who are responsible for excesses, are to be removed from the SA without consideration. I hold the superior offices responsible for the action to be taken. I expect of the state offices that the punishments in those cases will be heavi than those of non national socialists. The national socialist leader, and especially the SA leader should have a special position among the people. He therefore has also g r e a t e r duties.

7. I demand of all SA leaders to aid in keeping the SA a neat and clean institution and to fortify it. I especially wish that every mother can give her son t the SA, the Party and Hitler youth, without fearing that he might be spoiled there either ethically or morally. I therefore wish that all SA leaders see to it that any violation according to paragraph 175 is answered immediatly with the exclusion of the culprit from the SA and the Party. I want to see men as leaders of the SA, and not repulsive apes.

8. I demand of all SA leaders that they answer my loyalty with their own and that they support it through their own. But I especially demand from them that they seek power in those fields that belong to us and not in fields which belong to others.
I especially demand of every SA leader, however, that in his conduct he displ an open and unconditional loyalty and fidelity towards the Armed Forces of th Reich.

9. I demand of every SA leader not to require more courage and sacrifice fror his subordinates than he himself is ready to give at any time. I therefore de that through his conduct and through the treatment of the people's property wi which I have entrusted him he prove that he is a real leader, friend and comra I also expect of him to think in his own unit more highly of the virtues than the number.

10. And I expect of you as Chief of Staff not to forget the old loyal party member, the old fighter in the SA. I do not wish an upshoot of thousand unnecessary, but expensive staffs and I want that promotions are not so much based on abstract knowledge but on a born ability to lead and on long proven loyalty and sacrifice. I have in my SA a tremendous staff of most loyal and well behaved followers. They conquerred Germany, and not the s m a r t l a t e c o m e r s of the year 1933 and later.

11. I want the SA man to be educated both mentally and bodily as an educated National-Socialist. Only in the ideological bond with the Party lies the singul strength of this organization.

12. I want obedience, loyalty and comradeship to prevail as a basic principle. And just as every leader requests obedience from his men, so do I want of the SA leaders respect of the law and obedience of my order.

s/ Adolf Hitler

certified:
s/ Georg Boehm
Attorney
Defense Counsel for the SA

Nuernberg, 30 April 1946

H0819-0012

J. Neuhaeusler: "C r o s s a n d S w a s t i k a".

Publisher: The Catholic Church of Bavaria, 1946 / Part II.

. . . . . .

But the question is:

Could all the Wrong which Occured be Noticed in the Third Reich?

Did the public become aware of an even greater f r a c t i o n of the frightful atrocities in concentration camps, of the misei of deported forced laborers, of the wholesale deaths on prison transports, of the cruelties at interrogations, of the atrocitie in occupied territories, of the sadism of the guards etc.?
In the followin chapters we shall see how courageously and ener ally popes, bishops and priests protested against any wrong of which they learned, in diplomatic notes, in joint and individual pastoral letters, in blazing sermons, in detailed memoranda and similar ways. This suggests a priori the s u p p o s i t i that these men did not renonstrate against the afore-mentioned atrocities for the simple reason that they just d i d n o t k n o w about them. And other people knew just as little and e less of these crimes. This can be shown in detail and proved more exactly:

H0819-0013

(J. Neuhaeusler: Cross and Swastica, continuation of page 17)
Page 18:
For eight years I collected everything that could be learned of National-Socialist laws, decrees, police measures, news concerning injustice, violence, infamy, crimes, blasphemies, persecution of the church, murder etc. Hundreds of pages of th book "The Persecution of the Catholic church" which was mentioned in the beginning and which was published in 1940 were taken from my collection. It will carry more weight if I give the assurance that: "As far as atrocities in concentrat camps and crimes in the occupied territories are concerned I could practically learn and pass on nothing."

In the concentration camp of Dachau I met E n g l i s h m e n (Stevens, MacGrath), F r e n c h m e n (Bishop Gabriel Pigu von Clermont-Ferrand, General Delestraint), I t a l i a n s (for instance General Santo Garibaldi, Colonello Ferrero, Minister Cini and Tamburini and others), D u t c h m e n (former Minister of War van Dyk), B e l g i a n s (Louis), P o l e s (Count Zamoiski), N o r w e g i a n s (Bjoern Hanson, owner of a ship-yard, Klaveness), B u l g a r i a n (editor Tomalesky), Y o u g o s l a v s (Popovic) and other foreigners. Most of them could not tell us much, in many cases only how they themselves had fared in prison and in other cam they sppke very little about events in their countries. As far as I can remember, Bishop P i g u e t told us only of t sad fact that of a transport of about 2 000 French people who went from Compiegne to Dachau in the hottest summer weather with the windows closed, only about 800 arrived in Dachau alive. Colonel F e r r e r o told us of reprisals which wer taken against his own family in Italy and also of the fact th in Trieste s o a p had been prepared from the corpses of th murdered people. Another Italian, by the name of Tamburini, described to us the horrible revenge which the SS, despite al promises to the contrary, took against a village near Arezzo when a few SS men had been shot or wounded by strange partisans (in other words not by men of the village). This on the whole was about all these citizens of countries occupied by t Germans could report to us of outrages of a greater extent; and they certainly would have told us more if they themselves had known more; because they knew that they could have complete confidence in us, as we were imprisoned just on account of our anti-Nazi convictions and activity and did good things for them wherever and whenever possible.
Therefore, I may draw the conclusion:
"If despite this good relationship with the various foreigner we learned so little of the atrocities in the occupied countr how much less will the p e o p l e o u t s i d e t h e c a m p have heard about them."

Silence concerning the Concentration Camp.
Incidentally, we made a similar experience with regard to the happenings in the c o n c e n t r a t i o n c a m p itself. Here, too, care was taken most anxiously to make sure that asmuch as possible remain secret. And everyone who was released had to sign a declaration to the effect that he would not say anything about the camp. Thus, it is understandable that before I was arrested in 1941 a few persons who had been released from the concentration camp did come into my office, but not to give me any information, but almost in every case to obtain support One noticed how unpleasant any question about conditions and

H0819-0014

experiences in camp was to them. However, one was embarrassed oneself when some of their own accord began to tell something, because one did not know whether they were sent by the Gestapo as agents. Indeed, no means was too bad for the Gestapo to get people they did not like into their net and kil them like outlaws.

. . . . . .

H0819 - 0015

For instance, up to today I could not make quite sure whether experiments with the tearing off of legs were also made in Dachau by the notorious Dr. Rascher. At first I thought that I had to take this as a fact, as the source of the information and the special circumstances spoke for its veracity, however unbelievable the thing seemed in itself. For a certain time namely SS-Hauptsturmfuehrer Osterhus was a prisoner in the bunker with us. After his release he visited us a couple of times. On one of these occasions he once said that he had met Dr. Rascher in the prison of the SS barracks in Freimann and that he had found him very depressed. Rascher told him that he was afraid of being "liquidated" by Himmler because he did not want to continue the experiments, Himmler had ordered, with phlegmon contamination, cold water, the tearing off of legs etc. I immediately interrupted with the remark: "What is this about the tearing off of legs? We have never heard of that before." Osterhus answered: "Well, legs were torn off and bones were broken with special mechanical contrivance in order to see what wounds were made and how they could best be healed." Later on I repeatedly asked a prisoner who moved round a lot in the camp, - he was called Wilhelm V i s i n t a i n e r or "Kohlenklau" whether such experiments had really been made. Visintainer answered this question in the affirmative and then talked at length of a machine which had worked in jerks. Dr. Rascher himself had explained to him that he had been told to make these experiments by Himmler in order to find new methods of healing such injuries and fract ures when they occurred amongst the Wehrmacht personnel. He - Visintainer - himself had twice seen such experiments when he was working in the garden of the experimental station. The chief surgeons, of course, did not know anything about it, in fact they had no admittance to the experimental station without permission from Himmler. Visintainer also made the same statement as witness at the Dachau trial. But other prisoners (Ullmann, Lenz, Carls) whom I also questioned about the actual truth of these experiments - they were even working in the sick bay, so, they

more
in a position to know about it than anybody else - these had no knowledge of it, and thought the matter to be altogether improbable: What is true now? Who would have dared talk about these experiments outside the camp? Even if a church authority had ever received information of it, would it in view of the contradiction?have been able to take any official step?

H0819-0016

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Thus, I myself was arrested in February 1941 not because I m y s e l f had passed on news to foreign countries, but only because a n o t h e r person reported something to the Catholic Press Bureau in Breda, Holland, which was never told to me; that person allegedly referred to me in order to prove the reliability of the information.

. . . . . .

Nuernberg.
9 May 1946

Certified Copy:
(signed) Georg Boehm
Attorney-at-Law
Defense Counsel for the SA.